

AO 91 (Rev. 02/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
Southern District of TexasUnited States District Court  
Southern District of Texas  
FILED

APR - 5 2017

United States of America )

v. )

Alexis LOPEZ )

YOB: 1995 / COB: USC )

Case No. M-17-0627-M-02 )

David J. Bradley, Clerk

Defendant

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 04/04/2017 in the county of Hidalgo in the Southern District ofTexas, the defendant violated Title 18 U. S. C. § 924(a)(1)(A) and 2

, an offense described as follows:

Whoever, knowingly makes any false statement or representation with respect to the information required to be kept by this chapter to be kept in the records of a person licensed under this chapter; and

Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

☒ Continued on the attached sheet.Reviewed by: Linda Reuveny, AUSA  
4/5/17Carlos M. Delgado, Jr.

Complainant's signature

Carlos M. Delgado, Jr, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

April 5, 2017 3:01 pm Peter E. Ormsby

Judge's signature

City and state:

McAllen, TX

Peter E. Ormsby, U.S. Magistrate Judge

Printed name and title

**ATTACHMENT A**

I, Carlos M. Delgado, Jr, being duly sworn, do hereby state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), a Division of the United States Department of Justice, and have been so employed since March 23, 2014. As a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, I am vested with the authority to investigate violations of Federal laws, including Titles 18 and 26 of the United States Code.

This affidavit is in support of a criminal complaint charging Alexis LOPEZ ("LOPEZ"), with the criminal violation set forth in Attachment A. The evidence available to me demonstrates that there is probable cause that LOPEZ has violated Title 18 U.S.C. Sections 924(a)(1)(A) & 2 which provide as follows:

Whoever, knowingly makes any false statement or representation with respect to the information required to be kept by this chapter to be kept in the records of a person licensed under this chapter; and

Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.

Further, the Affiant states as follows:

On April 4, 2017, ATF Special Agents arrested an individual who admitted post-Miranda to straw purchasing a Bushmaster, Model: BA50, .50 caliber rifle. On said date, ATF Special Agents received information that the individual was going to purchase a Bushmaster, Model: BA50, .50 caliber rifle from a local Federal Firearms Licensee ("FFL") in McAllen, Texas. Agents then conducted mobile surveillance of the straw purchaser as he/she arrived at the FFL location. A short while later, the individual was observed exiting from the location with the .50 caliber rifle and boarding a white Chevrolet sedan. Agents followed the individual for several minutes before a marked McAllen PD patrol unit initiated a vehicle stop of the white Chevrolet sedan after the individual was observed committing a traffic violation. During the vehicle stop, ATF agents approached and interviewed the individual regarding the purchase of the .50 caliber rifle. During the interview, the individual admitted to straw purchasing the .50 caliber rifle for Alexis LOPEZ and stated that he/she was on his/her way to transfer the firearm to LOPEZ. Additionally, the straw purchaser stated that Alexis LOPEZ gave him/her instructions as to the type of firearm to purchase, provided him/her with money to purchase the .50 caliber rifle from the FFL in McAllen, Texas, and was going to pay him for doing so. Furthermore, the individual admitted that he/she made false statements on ATF Form 4473 when he/she stated that he/she was the actual purchaser of the firearm, when in fact, he/she was purchasing the firearm for Alexis LOPEZ. As a result, LOPEZ caused the individual to make false statements on ATF Form 4473 in violation of Title 18 USC Sections 924(a)(1)(A) and 2.